



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------|------------------------|-----------------------|
| Application No. | 10/815,926             | Confirmation No. 9426 |
| Applicant       | Chien-Hsuan HAN et al. |                       |
| Filed           | April 2, 2004          |                       |
| TC/Art Unit     | 1615                   |                       |
| Examiner        | Unassigned             |                       |
| Docket No.      | 49393-00007            |                       |
| Customer No.    | 23767                  |                       |

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.56(b)

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56. Copies of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

As provided in 37 C.F.R. § 1.98(e) and/or M.P.E.P. 609 III(A)(2)(A), copies of the U.S. Patents and the published U.S. Application listed on Form PTO/SB/08A are not being provided as the instant application was filed after June 30, 2003.

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against claims of the present application.

The Information Disclosure Statement is being filed prior to the mailing of the first Office Action. Accordingly, it is believed that no fee is due at this time.

Serial No. 10/815,926

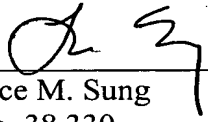
Atty. Docket No. 49393-00007

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. § 609.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this paper to undersigned's Deposit Account No. 50-1067.

Respectfully submitted,

August 3, 2004

  
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PTO/SB/08A (10-01)

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| <b>Substitute for form 1449A/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                        |
|   |   |    |   | Application Number       | 10/815,926             |
|   |   |    |   | Filing Date              | April 2, 2004          |
|   |   |    |   | First Named Inventor     | Chien-Hsuan HAN et al. |
|   |   |    |   | Art Unit                 | 1615                   |
|   |   |    |   | Examiner Name            | Unassigned             |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | 49393-00007            |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |  |
|-----------------------|--------------------------|--|--------------------------------|--|--|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant<br>of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |  |
|                       | A1                       | 4,764,380                                | 08/16/1988                     | Urquhart et al.                                    |  |
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|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |  |   |                |
|                          | A8                       | WO 03/101432 A1   | 12/11/2003                     | Impax Laboratories, Inc.                           |   |                |
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS |                          |  |                |
|---|--------------------------|--|----------------|
| Examiner<br>Initials*                             | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   | A9                       | AISEN ET AL., 15(4) JOURNAL OF THE AMERICAN PARAPLEGIA SOCIETY 211-216 (1992).   |                |
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|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.